IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

PETITION NO.34 OF 2006

Re: Narendra Gokani ..Debtor.

Ex parte :

Famous Cine Laboratories
& Studios Limited .. Petitioning Creditor.

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Mr. R.K. Thakkar for the Petitioning Creditor.
Mr. Pankaj R. Thatte for the Debtor.

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CORAM: DR. D.Y. CHANDRACHUD, J.

3rd October, 2006.

P.C. :

The Insolvency Petition is based on a decree passed by this Court dated 5th April, 1999 in Suit 4723 of 1993. Counsel appearing for the Debtor fairly informs the Court that the Notice of Motion taken out for setting aside the ex parte decree was disposed of with a conditional order of deposit. An appeal was carried against that order which was permitted to be withdrawn with liberty to file a review petition. The review petition was also

disposed of. A second set of proceedings which were taken out on behalf of the Debtors were carried in appeal and Appeal 421 of 2006 in Notice of Motion 2427 of 2005 in Suit 4723 of 1993 was dismissed on 5th September, 2006. This Petition has been served on 29th July, 2006. No reply has been filed to the Petition. In any event having regard to the aforesaid factual background, there is no valid defence to the Insolvency Petition. The Petition is accordingly made absolute in terms of prayer clauses (a) and (b).